IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(SPECIAL ORIGINAL JURISDICTION)

TUESDAY THE THIRD DAY OF FEBRUARY TWO THOUSAND AND FOUR
: PRESENT :
THE HON'BLE **MR. DEVINDER GUPTA, CHIEF JUSTICE**
AND
THE HON'BLE MS.JUSTICE: **G.ROHINI**

W.P. No.25168 of 2003

Between:

1. Ch.Rama Rao
2. V.Bhaskara Rao
3. D.Krishna Murthy.

Petitioners

AND

1. The District Collector, Srikakulam.
2. The Deputy Director, Mines & Geology, Visakhapatnam.
3. The Asst. Director, Mines & Geology, Santhi Nagar, Srikakulam.
4. The Mandal Revenue Officer, Srikakulam Mandal, Srikakulam District.
5. Sri Duppala Venkata Rao, S/o. Latchanna, Class I Contractor, Tumma Street, Srikakulam.
6. Arisela Simmaiah, S/o. Late Appala Swamy, Kistappapet, Via Singupuram P.O., Srikakulam Mandalam.
7. Gondu Jagannadha Rao alias Jagapathi, S/o. Gangarao Naidu, Kistappapet, Via Singupuram P.O., Srikakulam Mandalam.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a writ, order or direction, more particularly one under Writ of Mandamus, declaring the inaction on the part of the Respondents Nos. 1 to 4 as illegal and ultra vires to the provisions of Article 14 and 21 of the Constitution of India besides directing them to take appropriate action against the Respondent No.5 to stop the illegal quarrying of the hillock situated in Survey No.19 of Saaniwada Village, Srikakulam Mandal, besides directing not to grant any lease in favour of Respondents Nos. 6 and 7 for conducting operations of quarrying and mining in the hillock situated in S.No.19 of Saaniwada Village of Srikakulam Mandal.

The Petition coming on for hearing upon perusing the petition and affidavit filed herein and upon hearing the arguments of Mr. V.S.R.Anjaneyulu, Advocate for the Petitioners and of G.P. for Assignments, on behalf of the Respondents 1 and 4 and of G.P. for Industries on behalf of the Respondents 2 and 3.

The Court made the following **ORDER:**

" Counter affidavit has been filed on behalf of 2nd and 3rd respondents stating that the petitioners 1 and 2 have addressed letters stating that they have not filed any writ petition in this court, and it is stated that after filing of the writ petition, Assistant Director, Mines & Geology, Srikakulam, inspected the leased area on 6-12-2003 and the allegations made in the writ petition are found not to be correct. Field report was sent to the Director of Mines & Geology, along with sketch map showing the distances from the leased areas and found that the lessees are maintaining safety measures in conducting quarry operations.

Learned counsel for the petitioners states that third petitioner is hospitalized.

List after four weeks."

ASSISTANT REGISTRAR

// TRUE COPY //
for ASSISTANT REGISTRAR

..2..

To

1. The District Collector, Srikakulam District.
2. The Deputy Director, Mines & Geology, Visakhapatnam.
3. The Asst. Director, Mines & Geology, Santhi Nagar, Srikakulam District.
4. The Mandal Revenue Officer, Srikakulam Mandal, Srikakulam District.
5. Sri Duppala Venkata Rao, S/o. Latchanna, Class I Contractor, Tumma Street, Srikakulam.
6. Arisela Simmaiah, S/o. Late Appala Swamy, Kistappapet, Via Singupuram P.O., Srikakulam Mandalam.
7. Gondu Jagannadha Rao alias Jagapathi, S/o. Gangarao Naidu, Kistappapet, Via Singupuram P.O., Srikakulam Mandalam.
8. Two CCs to G.P. for Assignments, High Court of A.P.Hyd(OUT)
9. Two CCs to G.P. for Industries, High Court of A.P.Hyd(OUT)
10. Two spare copies.

SAH